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Seeking Appointment as Attorney for Defendant
ALEJANDRO MATHEW FRAGOSO

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	NO. CR S 02-189 WBS
)	
Plaintiff,)	
)	REQUEST FOR APPOINTMENT OF
v.)	COUNSEL; [lodged] ORDER
)	
ALEJANDRO MATHEW FRAGOSO,)	
)	
Defendant.)	
)	
_____)	

Pursuant to 18 U.S.C. §§ 3006A(c), Defendant, ALEJANDRO MATHEW FRAGOSO, hereby requests the court appoint the Office of the Federal Defender and Assistant Federal Defender Jeffrey L. Staniels as counsel to represent him with respect to his pro se motion to vacate sentence pursuant to 28 U.S.C. § 2255, filed November 19, 2008. Mr. Staniels is familiar with the case and is willing to accept the appointment.

Appointment of counsel would serve the interests of justice in this case because it might facilitate a negotiated disposition of the motion and because the motion might involve complex legal issues. Because Mr. Fragoso's substantial rights may be affected by these criminal proceedings, he is constitutionally entitled to appointment of counsel. *Mempa v. Rhay*, 389 U.S. 128, 134 (1967).

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Accordingly, Mr. Fragoso requests the Court issue the order lodged herewith.

Dated: November 19, 2008

Respectfully submitted,

DANIEL J. BRODERICK
Federal Defender

/s/ Jeffrey L. Staniels
JEFFREY L. STANIELS
Assistant Federal Defender


Seeking Appointment as Attorney for Defendant
ALEJANDRO MATHEW FRAGOSO

ORDER

Pursuant to defendant's request, and good cause appearing therefor, the Office of the Federal Defender and Assistant Federal Defender Jeffrey L. Staniels is hereby appointed to represent defendant with respect to his motion to vacate sentence.

IT IS SO ORDERED.

Dated: November 20, 2008


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE